

UNITED STATES BANKRUPTCY COURT
District of Nebraska
111 South 18th Plaza
Suite 1125
Omaha, NE 68102

In Re:

Gary Edward Tusa and Pamela Ann Tusa
Debtor(s)

Bankruptcy Proceeding No. 11-80306-TLS
Chapter 7

Judge: Thomas L. Saladino

STATEMENT OF PRESUMED ABUSE

As required by 11 U.S.C. Sec. 704(b)(1)(A), the United States Trustee has reviewed the materials filed by the debtor(s). Having considered these materials in reference to the criteria set forth in 11 U.S.C. Sec. 707(b)(2)(A), and, pursuant to 11 U.S.C. Sec. 704(b)(2), the United States Trustee has determined that: (1) the debtor's case should be presumed to be an abuse under section 707(b); and (2) the product of the debtor's current monthly income, multiplied by 12, is not less than the requirements specified in section 704(b)(2)(A) or (B).

As required by 11 U.S.C. Sec. 704(b)(2) the United States Trustee shall, not later than 30 days after the date of this Statement's filing, either file a motion to dismiss or convert under section 707(b) or file a statement setting forth the reasons the United States Trustee does not consider such a motion to be appropriate.

The debtor may rebut the presumption of abuse only if special circumstances can be demonstrated as set forth in 11 U.S.C. Sec. 707(b)(2)(B).

Dated: 3/23/11

Patricia Dugan
United States Trustee

Copies served on all creditors and parties in interest.